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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

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11 ERLINDO RODRIGUEZ, Jr.,

12 Plaintiff,

13 v.

14 RAYNA, *et al.*,

15 Defendants.

Case No. 1:19-cv-01788-BAM (PC)

ORDER DENYING MOTION TO PROCEED  
*IN FORMA PAUPERIS* WITHOUT  
PREJUDICE

(ECF No. 2)

ORDER REQUIRING PLAINTIFF TO FILE  
COMPLETED APPLICATION TO PROCEED  
*IN FORMA PAUPERIS* OR PAY FILING FEE

**FORTY-FIVE (45) DAY DEADLINE**

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19 Plaintiff Erlindo Rodriguez, Jr. ("Plaintiff") is a county jail inmate proceeding *pro se* in  
20 this civil rights action pursuant to 42 U.S.C. § 1983. On December 23, 2019, Plaintiff filed a  
21 complaint, together with a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.  
22 (ECF Nos. 1, 2.)

23 Plaintiff's application to proceed *in forma pauperis* is incomplete. There is no certified  
24 copy of Plaintiff's trust account statement for the past six months attached to the application as  
25 the instructions require. Plaintiff must submit a completed form, including a certified copy of his  
26 trust account statement, if he wishes for the application to be considered.

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1 Accordingly, it is HEREBY ORDERED that:

2 1. Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 2), is DENIED, without  
3 prejudice;

4 2. Within **forty-five (45) days** from the date of service of this order, Plaintiff shall  
5 file the attached application to proceed *in forma pauperis*, completed and signed, including a  
6 certified copy of his trust account statement for the past six months, or in the alternative, pay the  
7 \$400.00 initial filing fee for this action;

8 3. No extension of time will be granted without a showing of good cause; and

9 4. **The failure to comply with this order will result in dismissal of this action**  
10 **without prejudice.**

11  
12 IT IS SO ORDERED.

13 Dated: **December 27, 2019**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE